18 December 1975

MEMORANDUM FOR: Chairman, Information Review Committee

ATTENTION: Mr. H. G. Bean, Assistant for Information

SUBJECT: FOIA Appeal--John W. Donovan (75-577)

REFERENCE: A. Original Request dated 28 March 1975
B. IPS Reply dated 7 October 1975
C. Appeal Letter dated 13 October 1975

1. Summary of Recommendations:

a. Pass requester four Agency documents in sanitized form--excised portions exempted as appropriate under Title 5 U.S.C. (b)(1), (b)(3), and (b)(6).

b. Refer one Department of Army name check form DA 340 to Army for their action.

2. Background: In CIA response of 7 October 1975, two DDO originated documents were passed to Subject in sanitized form and two DDO documents were denied to Subject in toto. For unknown reasons, Subject was not informed of the DA document in our records, nor was this document referred to DA for their action.

3. Recommendations:

a. On the basis of this review, all the documents classified SECRET have been downgraded to CONFIDENTIAL.

b. Memorandum dated 5 March 1962--I recommend that further information be released to the requester, as noted in Tab B1, and the remainder withheld on the basis of Title 5 U.S.C. 552 (b)(1) and (b)(3). The

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deletions were made to protect our proposed operational use of Subject as outlined in Paragraph 5, the name of an Agency employee and internal organizational data. a cryptonym.

c. Memorandum dated 30 March 1962--I recommend that further information be released to the requester, as noted in Tab B2, and the remainder withheld on the basis of Title 5 U.S.C. 552 (b)(1) and (b)(3). The deletions were made to protect the names of Agency employees, and internal organizational data.

d. 3 March 1950 memorandum for the FBI--originally denied in toto under Title 5 U.S.C. 552 (b)(5). I recommend a sanitized version be passed to Subject. The deletions were made to protect the privacy of other individuals, the names and initials of Agency employees, internal organizational data, and a file number. The excised portions are exempt under Title 5 U.S.C. 552 (b)(1), (b)(3), and (b)(6). (See Tab B3)

e. 29 September 1954 memorandum for the Army--originally denied in toto under Title 5 U.S.C. 552 (b)(5). I recommend a sanitized version be passed to Subject. The deletions were made to protect the privacy of other individuals, the names and initials of Agency employees, internal organizational data. The excised portions are exempt under Title 5 U.S.C. 552 (b)(1), (b)(3), and (b)(6). (See Tab B4)

f. Attached as Tab C is one Department of the Army Name Trace Request which is not considered a "record" per 32 CFR 1900.3 (g)(4). Please refer this document to the Army for their action. Also, advise the Army we cannot produce a more legible copy of this document.

4. The records on Subject exist in microfilm form only--in two instances (Tabs B3 and B4) it was impossible to provide a legible copy. Therefore, in these instances a new copy has been typed and is attached to the original copy in both versions (full text and sanitized). Please make a note of this to requester.

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5. Mr. Strickland of OGC has concurred in these recommendations.

A. B. Swider
DDO Appeals Officer

Attachments:
Tab A - References A-C
Tab B - Full Text and Sanitized Versions
Tab C - Army Document for Referral